

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

March 11, 2015

The meeting was called to order at 4:01 p.m. by Chair Barbara Thomas at 3600 Constitution Blvd., West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Barbara Thomas, Clover Meaders, and Martell Winters

ABSENT

Latai Tupou

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Steve Lehman, Jody Knapp, Kevin Despain, and Nichole Camac

AUDIENCE

Approximately 11 (eleven) people were in the audience

ZONE TEXT APPLICATIONS

ZT-1-2015

West Valley City

Amending Section 7-6-1605 of the City Center Zone

Staff is proposing some clarifying amendments to paragraph 7 of Section 7-6-1605 of the City Center (CC) Zone. This paragraph addresses height requirements in the Zone. The proposed amendment, which is attached to this report, does not change any of the height standards but simply clarifies how they are applied.

To create a transition between tall buildings in the middle of the City Center Zone and single family homes just outside the Zone, the existing ordinance includes lower height standards for those areas within 100' of existing single family homes. The proposed revision clarifies that if a building is partially within the 100' and partially outside the 100', both the lower and higher standards apply to the respective portions of the building.

Staff Alternatives

1. Approval of the application as proposed to amend the City Center Zone.
2. Continuance for reasons determined during the public hearing.

Applicant:

West Valley City

Discussion: Steve Pastorik presented the application. The Planning Commission had no further questions or concerns.

Motion: Commissioner Matheson moved for approval.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-ZT-1-2015- Approved

SUBDIVISION APPLICATIONS

S-15-2014

Thomasville Manor Subdivision – Final Plat

7050 West 3500 South

R-1-10 Zone

26 Lots

9.8 Acres

BACKGROUND:

Mr. Elyas Raigne, representing Reliance Homes, is requesting final plat approval for the Thomasville Manor Subdivision. The subdivision is bordered on the north and west by existing single family development. The subdivision is bordered on the east by the Towns and Hunter Village and an existing duplex.

STAFF/AGENCY CONCERNS:

Public Works Department:

- Authorization of ditch/water users is required for any abandonment, relocation, piping or any other modification to existing ditches or irrigation structures.
- Dedication and improvements along 3500 South required.
- 3500 South improvements will require sidewalk at back of fence with a 14-foot stamp colored concrete parkstrip until UDOT improvements are installed.

Granger Hunter Improvement District:

- Subject to all GHID design and requirements.

Building Division:

- Follow recommendations outlined in the soils report.

ISSUES:

The proposed subdivision will consist of 26 lots on approximately 9.8 acres. This equates to an overall density of 2.65 units per acre. Although the subject property is zoned R-1-10, the average lot size is approximately 11,000 square feet. This equation does not factor in the square footage of the existing homestead known as lot 124.

Access to the subdivision will be gained from 3500 South and from existing stub streets from the Orchard View Subdivision to the west and from the Hunter Village Subdivision to the north. The developer will be responsible to dedicate and improve 3500 South including curb, gutter and sidewalk. Although the applicant will dedicate the full right-of-way, improvements will be installed at the existing width of 40 feet. The developer will be required to construct a masonry barrier wall along 3500 South.

All streets will be dedicated and improved to the City's 54-foot right-of-way. The new streets will need to transition with the existing rights-of-way to the north and west. All street improvements will be coordinated with the City Engineering Division.

As the property has been farmed for many years, there are a number of irrigation ditches. These ditches will need to be piped in accordance with City ordinances. The developer will be responsible to coordinate with the irrigation company and/or ditch master along with water users to ensure that methods to pipe these ditches meet with their approval.

STAFF ALTERNATIVES:

- A. Approval of the Thomasville Manor subdivision plat subject to the following conditions:
1. That the developer resolve all staff and agency concerns.
 2. That 3500 South be dedicated to a 53-foot half width. Improvements will be installed at the 40-foot half width including curb, gutter, sidewalk, parkstrip and barrier wall. Said improvements shall be coordinated with UDOT.
 3. That all irrigation ditches be piped. Prior to engineering approval, the developer shall coordinate this matter with the irrigation company, and/or ditch master and water users.
 4. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
 5. That the subdivision name and interior street names be approved by Salt Lake County.
 6. That recommendations outlined in the soils report dated May 15, 1996 and updated December 2014 be followed. Said report shall be reviewed by the City Engineer and Building Official prior to final plat review.
 7. That all streets shall be dedicated and improved with curb, gutter, sidewalk and asphalt. Said improvements shall be in accordance with plan and profiles approved by the Public Works Department.
- B. Continuance to address issues raised during the Planning Commission meeting.

Applicant:

Elyas Raigne
5941 S Redwood Road

Discussion: Steve Lehman presented the application. Barbara Thomas asked if the existing property owners to the southeast will still have direct access to 3500 S. Steve replied yes. Barbara Thomas asked if they will be able to access the rear of the property from inside the subdivision as well. Steve replied yes. Terri Mills asked if any landscaping and signage will be included near the wall. Steve replied that he isn't sure but indicated that the applicant can address this.

Elyas Raigne, the applicant, stated that then existing lot has been designed specifically to allow it to gain interior access from the subdivision in the future. He indicated that signage is being discussed and would most likely be placed on the masonry wall, but landscaping will not be added since it is very difficult to maintain. Jack Matheson stated that Reliance Homes have built great houses and asked if there are any projected problems in meeting the current housing standards. Mr. Raigne replied he is not concerned with meeting any requirements.

Motion: Commissioner Matheson moved for approval subject to the 7 staff conditions.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-S-15-2014- Approved

SV-2-2015

**Holmberg Street Vacation – Partial Street Vacation North of 3550 South
3550 South 2950 West**

BACKGROUND

The West Valley City Community & Economic Development Department is requesting a street vacation for a portion of Holmberg Street. The proposed vacation will be all of Holmberg Street north of 3550 south.

Holmberg Street was platted as part of the Holmberg Subdivision. This subdivision was recorded with the Office of the Salt Lake County Recorder in December 1959. The request to vacate the right-of-way is in anticipation of future development in the City Center Zone.

The City owns property on the east and west sides of the proposed vacated right-of-way. As additional property is needed for the future expansion of the City Center, various modifications to subdivision plats and dedicated rights-of-way will need to take place.

According the City Center Master Plan, Holmberg Street and surrounding properties are anticipated to be mixed use and residential development. During the study session, a question was asked whether access to 3500 South will still be available for residents living in the area. To replace the proposed vacated right-of-way, a new road will be constructed in the future at approximately 3030 West. This road will extend from 3500 South to Lancer Way. Although it is not known when this road will be constructed, it will provide similar access for residents who have become accustomed to using Holmberg Street.

During the study session, a question was raised regarding the duplex at the west end of 3550 South. The existing duplex located on lot 15 of the Holmberg Subdivision has been abandoned. The City is working to resolve this matter and expects a resolution by May 2015.

The vacating ordinance will include language that protects this access and other utility installations until such time as they are not needed. According to City ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

1. Approval of the street vacation plat.
2. Continue the application due to issues raised at the public hearing.

Applicant:

West Valley City

Neutral:

Daniel Gill
3033 W 3500 S

Discussion: Steve Lehman presented the application. Barbara Thomas clarified that no one is currently living on 3550 S. Steve replied yes.

Daniel Gill, a resident, stated that he owns a daycare in the area and customers and employees have a difficult time leaving his property and going west. He indicated that people use Holmberg Street and closing it will force people to travel all the way to 2700 W. Mr. Gill asked when the street will be closed. Steve replied that the Planning Commission will forward a recommendation to City Council. The street would likely not be vacated until such time that a development application has been submitted. Mr. Gill stated that he is currently negotiating with the City's RDA and will be selling his property in the future but it's important that Holmberg Street still be accessible in order for him to conduct his business.

Barbara Thomas asked if the road will still be able to be used by the public. Steve replied yes and indicated that the vacation is preliminary action for future development. Steve Pastorik agreed and added that the City intends to keep the road open for as long as possible.

Motion: Commissioner Fuller moved for approval.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-SV-2-2015- Approved

CONDITIONAL USE APPLICATIONS

C-1-2015

MT Motors

1430 W 3500 S

C-2 Zone (1.59 acres)

Approved Use: Auto Dealership

The applicant, MT Motors, is requesting a conditional use amendment for an auto dealership. The existing site has been approved for office and retail uses. The subject property is zoned C-2 General Commercial. The property due east is a small auto dealership also zoned C-2. Directly to the north are three residential lots zoned R-1-12. West of the property is Compass Villa, a senior living apartment complex which is zoned RB, Residential Business. To the northwest is Compass Court, a townhome development. The property across 3500 S to the south is zoned Manufacturing which includes both commercial and light manufacturing type uses. The general plan designation for this property is Mixed Use (which includes retail, office and high density residential).

Use

MT Motors, according to their letter, will operate as a used auto dealership. They will operate out of small office building on the west side of the building. They agree to only occupy the portion of the lot west of the building within the fence area. They will not occupy any of the lot directly to the north of the main building. MT Motors will not perform any auto repair, body work, or car detailing on site. Cars will be in working order and will typically be purchased at auto auctions. Cars to be sold will be driven to the site.

According to county records, the main building is 14,350 square feet and was built in 1953. MT Motors will occupy a small 450 square foot building on the west side of the main building. This side building was built prior to 1980 when the City incorporated. The building is in good shape.

There are 5 other tenants that occupy the building which include a bail bonds office, vacuum and sewing business, two nail salons, and a hair salon.

During two different site inspections (on February 12, 2015 and March 5, 2015), staff has noticed several property maintenance issues that are listed below:

1. There is a considerable amount of outside storage along the north side of the property including a trailer, inoperable vehicles, garbage, debris, discarded equipment, etc
2. The pavement is cracking throughout most of the site and several potholes.
3. Landscaping may need some extra work and maintenance but it is decent.
4. Along the west property line there is a 3'-4' strip between the neighboring vinyl fence and edge of pavement that is mainly dirt and some grass.
5. There is storage of two large semi-trailers that need to be removed.
6. Vinyl slats in chain link fence may need to be replaced where missing.

Parking and Site

The site is in rough condition and badly in need of re-surfacing. The property owner has expressed interest in re-paving but due to costs has not been able to. However, there are several potholes that need immediate attention. There are several in the center of the parking lot near the storm drain inlets. There are also potholes in the rear vehicle storage area near the side office building. The applicant requests two months to complete the parking lot pavement issues.

Based on the square footage of the building and the current tenant mix of retail/office, 57 parking stalls would be required. The site currently can support 40 parking stalls. A new parking lot striping plan would be needed and re-striping to occur. The parking ordinance does allow the Planning Commission to reduce, as a condition of development review, the number of parking spaces required by ordinance. The owner, Thin Ta, has provided a letter describing his experience with the customer and employee parking on-site. The tenant mix that has been present over the past several years has never had a parking problem. Staff feels that re-striping the property to accommodate 40 total parking stalls will be adequate for all businesses on site.

MT Motors intends to keep the majority of their used car inventory in the rear fenced portion of the property. They have requested that a few cars be displayed on the south end of the lot 20 feet back from the property line. The remaining stalls will be customer only parking. This will be shown in the final site and parking plan.

Screening

There is a chain link fence along the north side of the property adjacent to the residential uses. The fence is in decent shape and has vinyl slats. There may be some gaps in the fence that will need to be replaced. When substantial changes occur on a property, city ordinance requires that a masonry wall be installed next to residential. The Planning Commission can require that more permanent type screening be installed than what is present. However, staff feels that a chain link fence with vinyl slats is adequate.

Landscaping

The site has very limited amount of landscaping on-site. There are landscape areas directly in front of the building and also surrounding the pole sign. The property owner has committed to maintaining the appearance and upkeep of these landscape areas.

Lighting

There are no lighting poles on site and the applicant has not requested to install any additional lighting. There are lights on the building that illuminate the parking and vehicle storage areas. There have been complaints in the past from the adjacent apartment complexes of lighting levels but none in recent years.

Signage

MT Motors currently has a small sign on the side of their office building which includes their state dealers license number. The pole sign out front pre-dates the City and is classified as a non-conforming single tenant pole sign. MT Motors will not be able to post signage on the pole sign. If additional site signage is requested then a new monument style sign would need to be installed. If any temporary banner signs are desired, then they shall meet the provisions of the West Valley City Sign Ordinance.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. The approved use for this application shall be: Auto Dealership.
2. No auto body work, auto repair, or car detailing shall be allowed.
3. Only operable vehicles displayed as 'for sale' shall be allowed in the rear, fenced storage area on the west side of the building.
4. Outside storage shall not be allowed.
5. Garbage, debris, junk cars, discarded equipment shall be removed.
6. Auto sales inventory shall only be stored or displayed within the areas shown on the approved site and parking plan.
7. The parking lot potholes shall be patched within 2 months.
8. A new parking lot striping plan shall be submitted and approved by staff.
9. The parking lot shall be re-striped according to the approved parking lot plan.
10. All existing landscape areas shall be continuously maintained with live plant material.
11. The weeds or trash in the 3' – 4' strip along the west side of the property shall be removed. This area shall be either paved or landscaped.
12. Vinyl slats shall be installed in the entire length of the chain link fence on the north property line. If any are missing, then they shall be replaced.
13. If any additional site lighting is requested in the future, a lighting plan will need to be submitted, reviewed, and approved.
14. The business shall keep current a state dealer license.
15. MT Motors shall not post signage on the existing pole sign.
16. Any new signage shall meet the standards in the West Valley City Sign Ordinance.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Frank Marks
1430 W 3300 S

Discussion: Kevin Despain presented the application. Martell Winters asked if there is a specific definition of what car detailing implies. Kevin replied that they will not be doing any sort of final touch up which includes washing, waxing, vacuuming, etc. He stated that this is prohibited by various departments and the State and added that nothing can go down the storm drain.

Frank Marks, the applicant, stated that all detailing and repairs will be conducted off-site. He added that there is only one dumpster, not two, and indicated that the potholes will be fixed, the fence repaired, and the landscaping space next to the fence will be maintained. Barbara Thomas clarified that all business will take place north of the existing fence on the west side of the building. Mr. Marks replied yes. He indicated that there will be an inventory of 10-20 cars at one time though there is space for up to 50. Jack Matheson clarified that customer parking is south of the fence. Mr. Marks replied yes but added that there are three stalls north of the fence next to the building as well. Commissioner Matheson asked if there is ADA parking on the property. Mr. Marks replied no. Chairman Thomas stated that there was a lot of vehicles parked on the site when she visited it earlier in the day. Mr. Marks replied that some are his vehicles while others belong to customers. Terri Mills asked what type of landscaping will be added along the west fence. Mr. Marks replied he is planning to add decorative brick with some planters and drought tolerant bushes.

Commissioner Matheson stated that he doesn't believe a fire truck will be able to access the rear of the property with the turning radii provided by the new parking stalls. He indicated that he would want engineering and the fire department to study this to ensure it works adequately. Commissioner Mills stated that she doesn't feel like a car dealership can operate adequately on this property. She stated that parking needs to be further evaluated because the site already seems congested and added that there needs to be improvements to the landscaping. Clover Meaders agreed and added that a 17 parking stall reduction is a significant decrease and questioned whether the applicant provided a letter justifying this request. Kevin replied that the letter was received by staff but came after the deadline. He indicated that the main reason the applicant is requesting the reduction is due to the low volume uses of other tenants on the property. Chairman Thomas stated that she would like more clarification on the improvements the property owner will be making and the improvements the tenant will be providing. The Planning Commission discussed each condition of approval provided in the staff report. Commissioner Matheson stated that it is important that all vehicles are operable. He added that he doesn't have a problem with the parking reduction but wants to ensure that the Fire Department reviews the turning movements.

Frank Marks stated that the rear of the property will be getting cleaned up and employees will park in the back once that is completed. Kevin stated that all inventory will be stored west of the building.

Motion: Commissioner Matheson moved for approval subject to the 16 staff conditions modifying condition 8 to state: A new parking lot striping plan shall be submitted and approved by West Valley City planning, engineering, and fire department staff; condition 11 to state: The weeds or trash in the 3' – 4' strip along the west side of the property shall be removed. This area

shall be landscaped; and adding condition 17 to state: There shall be a 20 foot fire lane along the west side of the building to access the rear of the property that shall remain unobstructed.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	No
Commissioner Winters	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Majority-C-1-2015- Approved

C-9-2015

35th Retail Center (Rasoul Gasmepour)

1612 West 3500 South

C-2 Zone (.37 Acres)

The applicant, Rasoul Gasmepour, is requesting a conditional use for a 2,900 square foot addition to a multi-tenant retail/office building at 1612 West 3500 South. This property is zoned C-2, General Commercial, and the West Valley City General Plan designates this area as mixed use. The adjacent properties on all sides are zoned C-2 and the surrounding uses are primarily retail.

There is an existing 4,000 square foot retail building on site that was originally built in 1985. Mr. Gasmepour has recently purchased the property and would like to add an additional 2,900 square feet of retail space on to the north side of the building. The existing building is constructed of masonry block and was built prior to the enactment of the Commercial Design Standards in 2004. However, the Code does state that “additions to existing buildings that increase the gross floor area by more than fifty percent” must comply. The new addition will also be constructed of block and will have a stepped façade and roof line to meet the design standards. The entire building will be repainted and refreshed with new metal awning accents above all windows on the south and east elevation.

The estimated construction costs of the building addition totals over \$50,000. Therefore, the requirements set forth in the Landscaping on Major Arterials (7-13) would be applicable. West Valley City received a grant and installed a portion of these improvements in 2008 so the remaining 5’ area behind the sidewalk will be completed at this time. The trees will also be replaced within the parkstrip area.

The overall site is required to have landscaping per the Commercial Zone standards set forth in the City Code. The percentage required is reduced due to the streetscape standards, therefore, the site is required to have 13.5% landscaping. Currently, the site has 5.7% landscaping. The applicant has proposed to modify the parking area along the south side of the building to create a more efficient double loaded layout and will provide additional landscaping throughout site for a total of approximately 9%. Currently the site has approximately 20 stalls. With the new addition a total of 28 stalls is required (1/250 sqft of retail/office space) and has been provided. Any additional landscaping added to the site would eliminate required parking stalls.

A dumpster will be added on the north side of the site. There must be a 6' tall masonry enclosure around the dumpster. Also, any mechanical equipment proposed on site or on the building shall be properly screened from view per the standards set forth in the West Valley City Code.

Mr. Gassmepour has indicated that only wall signage will be proposed for this site. All signage shall comply with the West Valley City Sign Ordinance, to include no more than 15% signage on the front building face, and 5% on the remaining sides, and no more than 50% of the window area shall be covered in signs. A building permit must be issued for all signage. Ground signage has not been proposed at this time.

Staff Alternatives:

Approval of the conditional use for the retail shopping center subject to compliance with all of the City's zoning ordinances and the following:

1. The building must be completed per the approved plans and the addition shall be designed in accordance with the Commercial Design Standards.
2. The site shall be landscaped per the approved plans and the streetscape completed per the Landscaping on High Image Arterials standards.
3. There must be adequate parking on site for the proposed tenant mix and the parking lot surfacing shall be properly maintained.
4. The dumpster shall be completely screened and secured with a 6' masonry enclosure.
5. All mechanical equipment on site must be properly screened.
6. All signage must comply with the West Valley City Sign Ordinance.
7. Must meet requirements of all effected departments and agencies.
8. Subject to review upon valid complaint.

Continuance for reasons determined in the meeting.

Applicant:

Rasoul Gassmepour
2025 W 3500 S

Discussion: Jody Knapp presented the application. Jack Matheson asked if landscaping along the front has to conform to high image arterial requirements. Jody replied yes. She indicated that the City completed the sidewalk and landscaping along the road so the applicant will just need to finish their portion. Commissioner Matheson asked if the street lights will remain. Jody replied yes and added that these were installed with the City improvements. Barbara Thomas asked how many trees will be added to the property. Jody replied 2-3 on the frontage and a couple elsewhere on the property.

Rasoul Gassmepour stated that the site has been neglected and he wants to improve what is there. He indicated that he will almost be doubling the amount of green space on the property and will also be black topping the parking lot. Commissioner Matheson asked if the property will be

fenced. Mr. Gassmepour replied no and indicated that he likes the open traffic flow between other businesses in the area.

Motion: Commissioner Meaders moved for approval subject to the 8 staff conditions.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-9-2015- Approved

C-10-2015

Distillery 36, LLC (Jensen Dobbs)
2374 S. Redwood Rd.
M Zone (3.15 Acres)

The applicant, Jensen Dobbs, representing Distillery 36, LLC, is requesting a conditional use amendment for 2374 S. Redwood Road. This property is zoned M, Manufacturing, and the West Valley City General Plan designates this area as Light Manufacturing. The adjacent property is all zoned Manufacturing and the surrounding uses include office/warehouse.

Distillery 36, LLC, formally known as Wasatch Spirits, L.L.C, received conditional use approval for a distilled spirits plant on June 26, 2013 (C-30-2013). They received a manufacturer's license from the Utah Department of Alcoholic Beverage Control (DABC) and have been approved to manufacture, store, bottle, label and wholesale distribute spirits at this location. Currently, the product is sold to a third party distributor and then sold in the Utah State Liquor Stores.

The conditions of approval for this use state that there would be no retail sales, tastings or consumption on site available for the public. At this time, Distillery 36, LLC would now like to expand their distribution capabilities and become a Type 5 package agency through the DABC (see attached worksheet for definitions). This would allow the business to sell directly and instantly to restaurants, bars and the general public. Therefore, they have proposed to amend these conditions.

The primary intent is to get the product out for sale and distribution and to not have to send businesses to the Liquor Store to purchase the product. The retail aspect at this location and sales to the general public will be secondary. The State specifies that sales may be conducted Monday – Saturday from 10:00 am – 10:00 pm however, sales will be limited at this location and by appointment only. The businesses occupies a 1,416 square foot unit and the retail portion is proposed to be approximately 136 square feet (9.5%).

The DABC package agency license only allows the sales of spirits that the distillery manufactures and prohibits the manufacturing of beer or wine on the same premise.

Staff Alternatives:

Approval, subject to the resolution of any issues raised at the public hearing and the following conditions.

1. Approved as a distilled spirits plant and package agency (Type 5 under the DABC).
2. Must obtain a West Valley City Business license.
3. Must meet requirements of all affected departments and agencies including but not limited to the West Valley City Building and Fire Departments, Granger Hunter Improvement District, the Federal Alcohol, Tobacco Tax and Trade Bureau and the Utah Department of Alcoholic Beverage Control.
4. Subject to review upon valid complaint.

Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Jonathan Gregersen
502 N 1300 W
Salt Lake City, UT 84116

Neutral:

Elliot Moses
1820 W Printers Row

Discussion: Jody Knapp presented the application. Terri Mills asked if the City can override hours of operations for sales. Jody replied yes.

Commissioner Mills asked if sales are done by appointment only. Jonathan Gregersen, representing the applicant, replied yes. He added that they do not anticipate a large volume of customers coming to the building. Commissioner Mills asked what the current business hours are. Mr. Gregersen replied that they are not open as a manufacturer yet and will be having their final meeting with the DABC on March 24th which will allow them to begin production.

Elliot Moses, a neighbor, asked how the merchandise will be packaged. Mr. Gregersen replied it will vary between one bottle to cases and pallets. He indicated that a case would consist of 12 bottles which are about 750 ML each. Mr. Moses stated that he is concerned with people buying single bottles and the type of foot traffic that is in the area in the evenings. He asked what type of product will be sold. Mr. Gregersen replied white rum, dark rum, and eventually gin and vodka.

Commissioner Mills asked if there are other businesses in the City that operate as retail in a manufacturing zone. Jody replied the entire front buildings on this property are used for mostly retail.

Motion: Commissioner Woodruff moved for approval subject to the 4 staff conditions.

Commissioner Winters seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes

Commissioner Mills	No
Commissioner Winters	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-10-2015- Approved

C-11-2015

Desert Tech Munitions

1847 W 2320 S (Printers Row)

M Zone (1.48 acres)

Approved Use: Ammunition Manufacturing

The applicant, Desert Tech Munitions, LLC, is requesting conditional use approval to manufacture ammunition at 1847 W 2320 S. The zoning for this site is M, Manufacturing. The manufacturing and storage of explosive materials requires a conditional use within the M zone. The adjacent properties are all light manufacturing type uses. The West Valley General Plan designates this area as Light Manufacturing.

Desert Tech Munitions will manufacture and assemble ammunition. They primarily manufacture high grade products and do not anticipate retail to the public at this location. The building is roughly 11,500 square feet in area. Desert Tech will occupy the west half of the building or 5,062 square feet. The space will be divided into office and conference rooms, research and lab space, production space, and storage. The building is equipped with a sprinkler system to prevent the spread of any interior fires.

Within in laboratory research areas, Desert Tech Munitions will conduct various tests in the nitration and coating of cellulose in the development of smokeless propellants. They will store sample sized quantities of materials of a few pounds of explosive material. They will also store and use various strong chemicals and acids. All chemicals will be stored in government approved containers.

Within the production area, ammunition will be assembled. Of the components required, only two are flammable; smokeless powder and primers. Commercial smokeless powder is very stable and sold at many public retail stores. It is flammable but not explosive. All powder is contained in government approved containers. At maximum level, they will have up to 200 pounds of smokeless powder within the building. Containers will be required to be closed immediately after use. The bulk of the storage will be contained in a type-4 powder storage magazine which will be located in the unimproved area to the south 150' away from the building. The storage magazine shall conform to all local and federal standards.

Primers are also very stable and stored in special containers. Primers will be stored separately from the powder storage area. They will not have more than 400,000 at any one time. Primers will remain in commercial packing until being used in the assembly and production areas. Primers are only ignited when struck with significant force or when exposed to open flame.

In the case of an accident, it would most likely occur in the production area. The machines used for ammunition assembly are equipped with protection guards that prevent detonations. The machines are designed in such a manner so as to limit the amount of damage caused by detonation.

Finished ammunition will be properly inspected, boxed, and palletized prior to being transported to their distribution warehouse. They anticipate no more than 3 pallets of loaded ammunitions to be stored on-site at one time.

Desert Tech Munitions anticipates doing some interior remodeling in order to rearrange the floor area for their various operations. West Valley City Building Inspections will ensure any upgrades to the building to meet building code as needed.

Ammunition manufacturing is heavily regulated by Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Manufacturers must keep a current federal firearms license (FFL). The business is also regulated by the West Valley City Fire Department.

The site itself is in good shape. Employee parking for this use will include a couple stalls in front of the building with the remaining stalls in rear. The lawn area in front is well-maintained. The rear 200 feet of the property is unsurfaced and unimproved. This area will not be utilized aside from the placement of the powder magazine storage.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved use for this site includes: Ammunition Manufacturing
2. This site shall conform to all applicable federal regulations including but not limited to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
3. The storage and use of all smokeless powder, primers, and finished ammunition shall meet the requirements of the International Fire Code and NFPA (National Fire Protection Association).
4. A building permit shall be acquired with West Valley City Building Inspection for any interior remodeling.
5. All provisions and requirements of the International Building Code shall be met.
6. The buildings sprinkler system shall be current on service and have a current fire marshal tag.
7. The rear unimproved portion of the property shall not be used except for the placement of the type 4 storage magazine.
8. There shall be no outside storage.
9. The site shall be well-maintained and free of garbage or debris.
10. This use is subject to review upon valid complaint.

Continuance, to allow the applicant additional time to address the concerns raised at the public hearing.

Applicant:

Terry Brown
1847 W 2320 S

Neutral:

Elliot Moses
1820 W Printers Row

Discussion: Kevin Despain presented the application. He indicated that he spoke with a neighboring property owner who was concerned with security. He indicated that the applicant is required to keep everything securely locked, have functioning alarm systems, and lighting on the exterior of the building. Kevin stated that the resident was also concerned that testing would be conducted on site but the applicant will not be doing any testing of ammunition at this location. Barbara Thomas clarified that the applicant uses only one side of the building. Kevin replied yes and indicated that the other side is currently vacant. Clover Meaders asked if there are any other ammunition production businesses in the City. Kevin replied none that he is aware of but added that there are other businesses that use strong chemicals that must be approved through the West Valley City Fire Department.

Terry Brown, representing the applicant, stated that there used to be an ammunition manufacturer in Midvale but he is unsure if it is still existing. He indicated that he is not certain of any others in the area. Mr. Brown stated that this business is very tightly regulated and all procedures include specific safety protocol requirements. He indicated that the smokeless propellant is not an explosive but is highly flammable. Chairman Thomas asked what the difference between a bullet and a cartridge is. Mr. Brown stated that a bullet has 4 pieces and these include a brass case that contains the bullet, propellant behind the bullet, and an igniting mechanism called a primer that ignites when struck with a hammer. Chairman Thomas asked what this building will be used for. Mr. Brown replied that it is where ammunition will be produced and distributed. He added that the metal container on the south end is where the smokeless propellant will be secured which is required by federal regulations. He stated that the locks are specifically placed and developed to prevent theft. Harold Woodruff asked what calibers are produced. Mr. Brown replied 308, 328, 375, 223, etc. Commissioner Woodruff asked why 22's are no longer being developed. Mr. Brown replied that the material supply is low. Terri Mills asked where fencing is located. Mr. Brown replied that there is fencing to the south and east. Commissioner Mills stated that she feels more fencing should be added as an extra layer of security. Chairman Thomas asked what size of trucks are driven to the site. Mr. Brown replied that they are pickup trucks, not large ones.

Elliot Moses, a neighbor, explained the various types of businesses in the area. He indicated that he was also curious about the calibers being manufactured. Mr. Moses indicated that he is familiar with required regulations since he worked for ATK for 12 years and explained the definition of explosives versus the materials used to make ammunition. He stated that he is concerned that all safety procedures are appropriately followed including the way the bullets are stored and the amount of burn material located on site. Mr. Moses stated that he would suggest a high fence with barbed wire, cameras, etc. He stated that the neighbors are fine with this business coming to the area as long as all safety precautions and federal regulations are met.

Mr. Brown stated that everything will be addressed according to the many criteria required by the federal government. He added that he will ensure the facility meets safety standards in every way possible.

Commissioner Mills asked why there is only chain-link fencing provided in the area. Commission Matheson replied he thinks it makes sense for them to keep a low profile so as not to draw too much attention.

Motion: Commissioner Woodruff moved for approval subject to the 10 staff conditions.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-11-2015- Approved

PLANNING COMISSION BUSINESS

Approval of Minutes from February 25, 2015 (Regular Meeting) **Approved**

Approval of Minutes from March 4, 2015 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:50 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant